

People v. William Ellery Peters. 24PDJ095. October 2, 2025.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended William Ellery Peters (attorney registration number 11325) for one year and one day, all to be stayed upon Peters's successful completion of a two-year period of probation, with conditions. The probation takes effect October 2, 2025.

Beginning in November 2021, Peters represented a client on misdemeanor charges and a traffic infraction related to driving under the influence. On April 22, 2022, the district attorney's office dismissed those charges and refiled the case with felony charges. Peters and the client thus signed a new fee agreement under which the client was to pay an additional \$4,500.00 for representation in the felony matter. The client paid Peters \$4,500.00 in late May 2022. Peters placed those funds in his firm's trust account.

On June 2, 2022, Peters entered his appearance on the client's behalf. On August 2, 2022, another lawyer substituted as counsel for the client, taking over representation from Peters. Peters did not think he earned the client's \$4,500.00. Rather, he believed the client's subsequent counsel earned those fees in full.

Peters endeavored to pay the funds subsequent counsel earned by making two distinct payments. On March 31, 2023, Peters issued a check to subsequent counsel from his firm's operating account for \$2,000.00, even though the client's funds remained in Peters's trust account. Subsequent counsel deposited the check, causing the funds to be transferred from the operating account. On April 1, 2023, Peters issued a \$2,500.00 check from his firm's operating account to "Pep Boys" on behalf of subsequent counsel. This check was never negotiated.

On April 26, 2023, Peters transferred the client's \$4,500.00 from his firm's trust account to its operating account. This transfer accounted for the \$2,000.00 payment to subsequent counsel and the \$2,500.00 to be paid to Pep Boys on behalf of subsequent counsel. Peters could not locate or contact subsequent counsel to learn why the Pep Boys check was not presented for payment.

When the \$2,500.00 Pep Boys check did not clear Peters's firm's operating account, Peters did not return these funds to trust until September 2025, even though the funds belonged to another person. Peters kept the \$2,500.00 in his firm's operating account until September 15, 2025, at which point he returned the funds to his firm's trust account.

Through this conduct, Peters violated Colo. RPC 1.15A(a) (a lawyer must segregate and safeguard client property).

The case file is public per C.R.C.P. 242.41(a).